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EXAMINER

JOO, JOSHUA

ART UNIT

PAPER NUMBER

2154

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/083,356	Applicant(s) KAGEYAMA ET AL.	
	Examiner Joshua Joo	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Response to RCE/Amendment filed 12/21/2005***

1. Claims 1-15 are presented for examination.

***Claim Objections***

2. Claims 2-3, 5-8, 10-15 are objected to because of the following informalities:
  - i) As per claim 6, the limitation of, "sends the group list to the first terminal device receives and outputs the group list" appears to be improper grammar, thus making the claim difficult to read and understand.
  - ii) As per claims 2-3, 5-8, and 12-15, the limitation of "An information exchange method" should be "The information exchange method" as claims 2-3 and 12-15 depend on the information exchange method of claim 1, and claims 5-8 depend on the information exchange method of claim 4
  - iii) As per claims 10-11, the limitation of "A terminal device" should be "The terminal device" as the claims depend on the terminal device of claim 9.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 2-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
  - i) As per claim 2, the newly amended limitation of "of said displayed image on said first terminal a said second information" is not clear. Does Applicant, mean "of said displayed image on said first terminal as said second information"?

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- ii) As per claim 2, in the second paragraph of

“said second terminal device receives or retrieves content of interest rendered by media and sends **second information** and second target area to define a part or all of an object from the content of said displayed image on said second terminal as **said second information** to said server device across the computer network”,

the limitation of sending “said second information” is not clear because the second terminal device is already sending “second information” as previously stated in the claim. Does Applicant mean, “said *first information* and second target area...” since grouping is based on both first and second information? If not, then “second information” lacks antecedent basis, and sending “second information” and “said second information” is not clear.

- iii) As per claim 4, the limitation of “displaying the message and/or image on the second information device based on the received first and second information and the message” is not clear. Should “second information device” be “second terminal device”? Furthermore, the limitation of “and/or” is not definite because it is unclear if Applicant is specifically claiming “message and image” or “message and image”. Lastly, “image” lacks proper antecedent basis in the stated limitation.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 1, 2, 9, and 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ilan et al, US Publication #2002/0059184 (Ilan hereinafter), in view of Yuen, US Publication #2005/0182759 (Yuen hereinafter).

7. As per claim 1, Ilan teaches substantially the invention as claimed including the method for communicating among users with similar interests. Ilan's teachings comprise of:

obtaining a content of interest rendered by media using first and second terminal devices for information exchange connected to a computer network (Paragraph 0024. Users access web pages.);

displaying an image regarding the content on the first and second terminal devices (Paragraph 0024. Users accesses web pages.);

sending a first information to identify the displayed image (Paragraph 0023; 0027. Server receives URL, which may point to a data object.) indicated from the first and second terminal devices (Paragraph 0022. Users.) to a server device connected to the computer network, respectively, across the computer network (Paragraph 0031. Server compares data objects and keywords.); and

allowing communication messages between the first terminal and the second terminal based on the received first information by the server device (Paragraph 0036. Server initiates communication between the first user and second user.).

8. Ilan teaches substantial features of the claimed invention. However, Ilan does not teach of a second information includes information relevant to position or time of an object indicated from the displayed image.

9. Yuen teaches a system for searching and matching images or videos on a network including images and videos within web pages, wherein information for matching includes

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identification, position information, and time information of the image (Fig 3; Paragraph 0020-0021; 0050-0055; 0061; 0070).

10. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Ilan with the teachings of Yuen because the teachings of Yuen to search and match images based on position and time would enhance the system of Ilan by providing additional parameters, including images and videos viewed on web sites or stored on the user computer, for matching users, thereby expanding the interests that may be used for matching.

11. As per claim 9, Ilan teaches substantially the invention as claimed including a device for information exchange. Ilan's teachings comprise of:

- a first input unit (Paragraph 0023-0024. Access web page.);

- a display unit which displays an image regarding content of interest rendered by media Paragraph 0023-0024. Access web page. Display unit is inherent for view by user.);

- an information acquisition unit which obtains a first information to identify the displayed image indicated from the display image by said first input unit (Paragraph 0023; 0027. Data object. Web page.);

- a second input unit which inputs a message (Paragraph 0036. Users communicate with other users.); and

- a communication unit which transmits said first information and message over a network (Paragraph 0027. Server receives data string, which is representative of a data object. Paragraph 0036. Users communicate with other users.).

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12. Ilan teaches substantial features of the claimed invention. However, Ilan does not teach of a second information includes information relevant to position or time of an object indicated from the displayed image.

13. Yuen teaches a system for searching and matching images or videos on a network including images and videos within web pages, wherein information for matching includes identification of the image, position information, and time information regarding the image (Fig 3; Paragraph 0020-0021; 0050-0055; 0061; 0070).

14. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Ilan with the teachings of Yuen because the teachings of Yuen to search and match images based on position and time would enhance the system of Ilan by providing additional parameters, including images and videos viewed on web sites or stored on the user computer, for matching users, thereby expanding the interests that may be used for matching.

15. As per claim 2, Ilan teaches the information exchange method as recited in claim 1 wherein:

said first terminal device receives or retrieves content of interest and sends said first information said server device across the computer network (Paragraph 0027. Server receives data string. Paragraph 0023. Data string is a pointer to a data object, where data string could be an URL.);

said second terminal device receives or retrieves content of interest rendered by media and sends second information said second terminal as said second information to said server device across the computer network (Paragraph 0022. One or more users sharing interest in

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the same subject area. Paragraph 0023. Data string is a pointer to a data object, where data string could be an URL.);

said server device makes up a group of said first and second terminal devices, according to a grouping method using said first information sent from said first and second terminal devices (Paragraph 0029; 0036. Server initiates communication between the first user and the second user based on received information.);

said first terminal device sends a first message to said server device equipment across the computer network (Paragraph 0029. Server provides a communication channel between the first and second user.);

said server device sends said first message that it received to one or more terminal devices for information exchange belonging to said group and including said second terminal device across the computer network (Paragraph 0029. Server provides a communication channel between the first and second user.); and

said second terminal device for information exchange receives and outputs said message (Paragraph 0029. Server provides a communication channel between the first and second user.).

16. Ilan teaches of grouping users based on similar interests. However, Ilan does not teach a first target area to define a part or all of an object selected from the content of said displayed image on said first terminal as said second information; second target area to define a part or all of an object from the content of said displayed image on; and grouping based on second information.



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17. Yuen teaches of providing a target area defining a part or all of an object from a displayed image for searching and matching (Fig 3; Paragraph 0020-0021; 0050-0055; 0061; 0070).

18. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ilan and Yuen because the teachings of Yuen to provide an area defining an object from the displayed image would enhance the system of Ilan by providing matching based on parameters such as specific objects, thus increasing the usefulness of the invention.

19. As per claim 12, Ilan teaches the information exchange method according to claim 1, said server device allow communication messages between the first terminal and the second terminal based on consistency between said first and second information from the said first terminal device and said first and second information from said second terminal device (Paragraph 0036. Server initiates communication between the users if a similarity or identify is detected between the data strings.).

20. As per claim 13, Ilan teaches the information exchange method according to claim 12, said communication messages between the first terminal and the second terminal includes chat using said computer network (Paragraph 0029. Users communicate with each other. Paragraph 0002-0003. Chat.)

21. As per claim 14, Ilan teaches that the displayed image may be a data object on a web page (Paragraph 0023). However, Ilan does not specifically teach that the displayed image regarding the content is a video image.

22. Yeun teaches of identifying and matching displayed images, wherein the displayed image regarding the content is a video image (Paragraph 0020-0021; 0050-0056; 0061).

23. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ilan and Yuen because the teachings of Yuen to provide video image for searching and matching would enhance the system of Ilan by providing matching based on a broader range of content of interest such as to video images

24. As per claim 15, Ilan teaches of selecting a data object from a web page (Paragraph 0031). However, Ilan does not specifically teach of said object information includes area information indicated from the displayed image by using a pointing device.

25. Yuen teaches a system for searching and matching images or videos on a network including images and videos within web pages, wherein information for matching includes identification of the image, position information, and time information regarding the image (Fig 3; Paragraph 0020-0021; 0050-0055; 0061; 0070).

26. Even though, Ilan and Yuen do not specifically teach of a pointing device, it is essential that a user may use a mouse and keyboard to select the image from a web page or the video. Therefore, the selected data object may be used to compare and match for similar data objects with other users. The teachings of Yuen to provide information regarding the displayed image would improve the teachings of Ilan by allowing users to provide information that may be used for matching by the server.

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27. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ilan and Yuen, in view of Inala et al, US Publication #2003/0014489 (Inala hereinafter).

28. As per claim 3, Ilan teaches the information exchange method as recited in claim 2 wherein said grouping method comprises one of or a combination of a plurality of the following:  
grouping terminal device for information exchange for which matching to a certain extent occurs regarding said first and second information received therefrom (Paragraph 0023; 0036. Server initials communication between users based on similarity or identity of data strings, URL.);

grouping terminal devices for information exchange for which matching to a certain extent occurs regarding said first information and said first and second target area selected as said second information, received therefrom (Paragraph 0031; 0036. Server initials communication between users based on data strings and comparison between contents of data objects.);

grouping terminal devices for information exchange for which matching occurs in one of or a plurality of items of information designating appointed identifiers of terminal devices for information exchange, geographical area, interests, content titles, and community respectively (Paragraph 0022. Users communicate based on interest.).

29. However, Ilan does not teach of grouping terminal devices for information exchange by limiting the number of terminal devices to form a group to a given number.

30. Inala teaches of setting a predetermined maximum number of clients that may define a full chat room (Paragraph 0079).

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31. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ilan, Yuen, and Inala because both the teachings of Ilan and Inala are similar in that users communicate with each other based on commonly visited web sites, while Yuen provides additional matching parameters. Furthermore, the teachings of Inala to limit the number of users to form a group would improve the system of Ilan and Yuen by providing administrative control of the groups, and preventing overcrowding and lagging of the chat groups.

32. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ilan and Yuen, in view of Wang et al, US Patent #6,058,428 (Wang hereinafter).

33. As per claim 10, Ilan does not teach a terminal device for information exchange as recited in claim 9 further comprising means for storing said content of interest; and means for generating and displaying a thumbnail image from said first information, said second information, and said stored content of interest.

34. Wang teaches of information exchange, wherein images are stored on digital acquisition device and a server (Col 5, lines 17-19), and thumbnail image are generated and displayed with a link to the original image (Col 5, lines 1-10).

35. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine teachings of Ilan, Yuen, and Wang because the teachings of Wang to store images; and generate and display thumbnail images with a link to the images would improve the system of Ilan and Yuen by providing efficient viewing and sharing of images as thumbnail images are smaller in size, thus requiring less load time.

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36. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ilan and Yuen, in view of Yoneda, US Patent #6,002,832 (Yoneda hereinafter).

37. As per claim 11, Ilan does not teach of a terminal device for information exchange as recited in claim 9 further comprising time shifting means for recording and reproducing said contents of interest.

38. Yoneda teaches of recording and reproducing data, where time shifting is used to record and reproduce videos (Col 7, lines 29-36; Col 8, lines 10-24).

39. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ilan Yuen, and Yoneda because the teachings of Yoneda to use time shifting to record and reproduce videos would improve the capability of the system of Ilan and Yuen by allowing users to share and view videos.

40. Claims 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ilan, in view of Yuen and Emens et al, US Patent #6,745,178 (Emens hereinafter).

41. As per claim 4, Ilan teaches substantially the invention as claimed including the method for communicating among users with similar interests. Ilan's teachings comprise of:

obtaining a content of interest rendered by media using a first terminal device for information exchange connected to a computer network (Paragraph 0023-0024. Access a web page.);

displaying an image regarding the content on the first terminal device (Paragraph 0023-0024. Access a web page. Pointer to data object.);

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sending a first information to identify the displayed image (Paragraph 0023. URL.), indicated from the displayed image (Paragraph 0023; 0031. Data objects.), and a message from the first terminal device to an information exchange server equipment across a computer network (Paragraph 0029. User communicates with other users, where server provides communication channel.);

making up a group of two or more terminal devices including at least the first terminal device and a second terminal device by the information exchange server equipment (Paragraph 0022; 0029; 0036. Server initiates communication with users with similar interests.);

sending the message received by the information exchange server equipment to the second terminal belonging to said group across the computer network (Paragraph 0029. User communicates with other users through the server.);

receiving the message from the information exchange server equipment by the second terminal device (Paragraph 0029. User communicates with other users through the server.); and

displaying the message on the second information device based on the received first and second information and the message (Paragraph 0029. User communicates with other users through the server.).

42. Ilan teaches substantial features of the claimed invention including a user communicating with another user based on similar interests. However, Ilan does not teach of second information that includes information relevant to position or time of an object indicated from the displayed image; sending the first information and the second information received by the information exchange server equipment to the second terminal belonging to said group across the computer network; receiving the first and second information from the information exchange server equipment by the second terminal device; and displaying the image on the second information device based on the received first and second information and the message.

43. Yuen teaches a system for searching and matching graphic or video files on a network including graphics and videos within web pages, wherein information for matching includes identification of the video, position information, and time information regarding images (Fig 3; Paragraph 0020; 0050-0055; 0061; 0070).

44. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Ilan with the teachings of Yuen because the teachings of Yuen to search and match images based on position and time would enhance the system of Ilan by providing additional parameters, including images and videos viewed on web sites or stored on the user computer, for matching users, thereby expanding the interests that may be used for matching.

45. Emens teaches of identifying users with similar interests, where users may exchange information (Col 8, lines 60-63.)

46. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ilan, Yuen, and Emens because the teachings of Emens to exchange information with other users would improve the system of Ilan and Emens by allowing users to share images and videos in addition to communicating between users. Emens' teachings would also allow exchange of identified content.

47. As per claim 5, Ilan does not teach an information exchange method as recited in claim 4, wherein said server device makes up a group of terminals devices for information exchange having a group identifier registered beforehand.

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48. Emens teaches of having a group identifier registered beforehand, where a user may join a preexisting chat groups (Fig. 6B; Col 8, lines 30-36).

49. It would have been obvious to one of ordinary skill in the art the time the invention was made to combine the teachings of Ilan, Yuen, and Emens because the teachings of Emens to having a group identifier registered beforehand would improve the system of Ilan and Emens by providing default groups, and allowing users to join existing chat groups.

50. As per claim 6, Ilan teaches of a server initiating communication between users with similar interests. However, Ilan does not teach the information exchange method as recited in claim 4 wherein said information exchange server equipment makes up a group of terminal devices for information exchange in such a way in which:

said server device makes a list of one or more groups that have been made up and related information (which will be referred as group information hereinafter) and sends the group list to the first terminal device for receives and outputs the group list, selects the group information for one group from the group list, and sends the selected group information to the server device across the computer network; and

said server device sets the first terminal device to join the group appointed by the selected group information.

51. Emen teaches of a provider making a list of one or more groups that have been made up and related information (Col 6, lines 59-67; Col 7, lines 50-59); sending the group list to the first terminal device for information exchange across the computer network (Col 8, lines 32-33. User receives a list of chat groups; the first terminal device for receiving and outputting the group list, selecting the group information for one group from the group list, and sending the selected



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group information to the server device across the computer network (Col 8, lines 31-37. User selects a group to join.); and the server equipment sets the first terminal device to join the group appointed by the selected group information (Col 8, lines 38-39. User is placed in the selected chat room.).

52. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ilan, Yuen, and Emens because the teachings of Emens to perform the above functions of Paragraph 31 would improve the system of Ilan and Yuen because while Ilan merely teaches of initiating communication with users, Emens teachings would provide the user with the option of joining a desired chat group from a plurality of chat groups that have similar interests with the user.

53. As per claim 7, Ilan does not teach the information exchange method as recited in claim 6 wherein said group information includes said first information and said second information.

54. Emens teaches of group information that contain information to identify the content and the selected content (Fig. 6B; Col 8, lines 31-35).

55. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ilan, Yuen, and Emens because the teachings of Emens for the group information to contain information to identify the content and the selected content would improve the system of Ilan and Yuen by allowing the user to select a chat session that is most relevant to the user's interest.

56. As per claim 8, Ilan, Yuen, and Emens taught the information exchange method as recited in claim 4. Ilan further teaches the method wherein said message comprises one of or a

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combination of a plurality of following items: character strings of text and keywords, audio information, video information, advertising information, time information, thumbnail images, and pointer information (Paragraph 0023. Data strings such as URLs. Paragraph 0036. Communication.).

### ***Conclusion***

57. This action is made non-final due to Applicant's filing of RCE.

58. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

59. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be reached on Monday to Thursday 8AM to 5PM and every other Friday.

60. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on 571 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

62. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

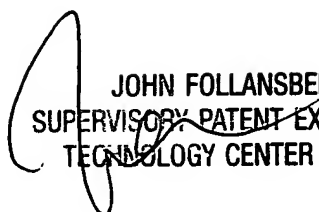
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February 23, 2006

JJ



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